IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5314 OF 2004

Ashok Mahadeo Landage & anr. ... Applicants

versus

State of Maharashtra ... Respondent

...

Mr. T.E. Mane, for the Applicants.

Mr. A.S. Gadkari, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

10th January 2005

P.C.:

. Heard Counsel for the parties. Having regard to the overwhelming material against the Applicants, I see no reason to depart from the conclusion reached by the Sessions Court in rejecting the application for bail preferred by the Applicants, especially in view of the seriousness of the offence. Counsel for the Applicants, however, submits that insofar as Applicant No. 2 is concerned, she is mentally retarded person and being a female, at least she

should be released on bail. However, this ground is not made out in the application as filed and, therefore, cannot be the basis to release the Applicant No. 2. It will be open to file application on behalf of Applicant No. 2 establishing the fact that she is mentally retarded person. Application disposed of on the above terms.

. The Sessions Judge, Pandharpur, is directed to assign the case to the Fast Track Court, if not already done, to ensure early disposal of the trial.

(A.M.KHANWILKAR,J.)